

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO, WESTERN DIVISION

STEPHEN S. JOHNSON, JR., et al., )  
Plaintiffs, ) Case No. 3:17-cv-152  
v. ) JUDGE  
STATE FARM FIRE AND CASUALTY )  
COMPANY, )  
Defendant. )

**NOTICE OF REMOVAL**

TO: THE JUDGES OF THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO, WESTERN DIVISION.

1. On March 31, 2017, an action was filed against Defendant, State Farm Fire and Casualty Company, in the Common Pleas Court of the State of Ohio, in and for Preble County entitled Stephen S. Johnson, et al. v. State Farm Fire and Casualty Company, Case No. 17CV031052, and said action was commenced by service of a copy of the Complaint and Summons upon Defendant on April 3, 2017, a copy of which is attached. Defendant has caused an Answer to be filed, a copy of which is attached hereto, although a time-stamped copy has not been received to date. No further proceedings have been had herein.

2. The above described action is a civil action of which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1332 and is one which may be removed to this court by petitioner defendant herein, pursuant to the provisions of 28 U.S.C. § 1441, in that it is a civil action wherein the matter in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs and is between citizens of different states. The Plaintiffs who are suing State

Farm, at the time this action was commenced, were and still are citizens of the State of Ohio; and the Defendant State Farm, at the time this action was commenced, was and still is a corporation incorporated under the laws of the State of Illinois, with its principal place of business in the State of Illinois and was not and is not a citizen of the State of Ohio wherein this action was brought.

3. Defendant desires to remove this action into this Court as provided in 28 U.S.C. § 1446(b) and does so within the 30-day requirement.

WHEREFORE, Defendant notifies all parties that the above action now pending in the Court of Common Pleas in the State of Ohio in and for Preble County is removed to the United States District Court for the Southern District of Ohio, Western Division at Dayton.

Respectfully submitted,

GALLAGHER, GAMS, PRYOR,  
TALLAN & LITTRRELL, L.L.P.

By: /s/ Mark H. Gams  
MARK H. GAMS (0025362)  
Trial Attorney for Defendant, State Farm  
Fire and Casualty Company  
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mgams@ggptl.com

**CERTIFICATE OF SERVICE**

A copy of the foregoing was served upon the following by ordinary U.S. mail service this  
3<sup>rd</sup> day of May, 2017:

Stephen G. Whetstone  
Post Office Box 6  
2 North Main Street, Unit 2  
Thornville, Ohio 43076

GALLAGHER, GAMS, PRYOR,  
TALLAN & LITTRRELL, L.L.P.

By: \_\_\_\_\_ /s/ Mark H. Gams  
MARK H. GAMS (0025362)  
Trial Attorney for Defendant, State Farm  
Fire and Casualty Company

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